

Lambda Letters Project

Vol. 12, No. 9 September, 2004

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Boycott for Equality

By Boyce Hinman, Chief Lobbyist

Dale Duncan and Joe Henderson are fed up with the assault on gay, bisexual, and transgendered Americans. First Congress passed, and President Clinton signed, the Defense of Marriage Act. Next President Bush endorsed an amendment to the Constitution banning same-sex marriage throughout the country. Finally the California Supreme Court ruled that San Francisco does not have the authority to issue marriage licenses to same-sex couples, and invalidated the licenses it issued.

To show that LGBTI people are not invisible, Duncan and Henderson have established Boycott for Equality (www.boycottforequality.org) to spread the word about a national economic boycott to take place on October 8, the same day as National Coming Out Day. They the LGBTI community and its allies to stop all economic activity on that day, including no cell phone calls and no purchases. They ask business owners to close for the day, and encourage employees to take a vacation day. If enough of us do these things, they feel that it will have a very significant impact.

They could be right. The 2000 Census found that well over one million people acknowledge they are in same-sex relationships. Undoubtedly more were too cautious to reveal their true situation. Add the remaining members of the LGBTI community and their allies. Such a body of people could make a real impact with a one-day boycott.

Everyone's situation is different. Not all people will be able to participate in the boycott. But you may want to consider doing so. ✉

Lavender Library, Archives
and Cultural Exchange
Sacramento, CA

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#34890

Changing the World

By Boyce Hinman, Chief Lobbyist

The California state Legislature is now closed for the year. August 31 was the last day of the legislative session. At this point it appears that we got some good bills passed and signed by the governor in 2004.

However, nothing really spectacular has occurred this year, compared to some past years. In particular, the bill to allow same-sex couples to obtain marriage licenses went down in flames in the Legislature. The state Supreme Court also firmly overturned the same-sex marriages that occurred last February in San Francisco.

It is in years like this that I hear comments like "What's the use of trying? The world will never change." Please allow me to respond to those thoughts.

It depends on what you mean by "world." Several years ago, I met a preoperative transsexual who had a very professional, high-paying job as the comptroller of a midsized corporation. She planned to begin her transition soon and said she was certain to lose her job as soon as that happened.

Last year AB 196 became law in California. It bans discrimination against transsexuals and transgender people. As soon as that bill became effective, a lawyer friend of mine began her transition. She announced her plans to her employer and she is doing just fine. Their "world" has certainly changed. The work we do changes worlds for the better every year!

I have been lobbying for LGBTI civil rights for over 30 years. When I started, gay sex was illegal. You could go to jail for it. Employers were allowed to discriminate against lesbians, gays, bisexuals, and transgender people. Employers most certainly did not provide health insurance to the domestic partners of their employees. If a gay or lesbian person died without a will, his or her domestic partner could lose the home and assets that they shared. The blood relatives of the deceased could, and frequently did, take it all away from the surviving partner. Now, 30 years later, every one of those things has changed for the better.

Some say it's not worth the effort if it's going to take that long. But we need to keep things in perspective. Thirty years seems like a long time in the human life span. But an amoeba lives at most two or three days; to it, three hours in an unreasonably long time. A redwood tree can live 2,000

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Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

The Lambda Letters Newsletter is published monthly, except in December, by Lambda Letters Project Inc., 6529 Cowboy Way, Citrus Heights, CA 95621.

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Advertising Rates (per Issue)

Business-card sized ads (3½"×2") \$10, quarter-page ads \$30, third-page ads \$33, half-page ads \$45, full-page ads \$75, full back-page ad \$100. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

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(Appreciated but not required.)

☐ \$10 ☐ \$20 ☐ \$30 ☐ other \$_____

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Contact Your Members of Congress!

You'd be amazed how easy it is. Call them toll-free at
(800) 648-3516.

Ask the operator to transfer you to your legislator's office.

If the line is busy, try again later; you'll get through eventually.

Don't know who represents you in Congress?

Visit the Lambda Letters website:

www.lambdaletters.org

Click on the Who Represents You? link in the left navigation bar to find out!

Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin,

race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?

If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at

(800) 884-1684. In cases of housing discrimination, call (800) 233-3212.

The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

Stop Violence Against Family Planning Clinics

By Kathleen Watanabe, Legislative Analyst

The ability to obtain a safe and legal abortion has been every woman's legal right in the United States since the Supreme Court's *Roe v. Wade* decision in 1973. Yet 31 years later that right is more endangered than ever before. Part of that is the fault of stringent antiabortion laws that conservative legislators have passed throughout the country.

One of the biggest obstructions, however, has been the declining access to safe and legal abortions across the country. The vast majority of American women today do not have access to abortion and other reproductive health services. Since 1982, the number of abortion providers has decreased by 37 percent to an all-time low of 2,042. Amazingly, 87 percent of all US counties—and 97 percent of all rural counties—have no abortion provider whatsoever. Women are forced to travel great distances to obtain reproductive health services.

This decreasing number of reproductive health providers disproportionately affects young and low-income women who lack the resources to travel. What is particularly disturbing is that 58 percent of all OB/GYN doctors who provide abortions are 50 years of age or older. This means that the number of providers will continue to decline as current providers reach retirement age unless younger clinicians learn to provide abortions.

One of the most egregious reasons why there are fewer abortion providers, particularly younger doctors, is the fact that radical antichoice groups are employing tactics of violence and harassment against them. This includes seven murders, several attempted murders, firebombing of clinics, and death threats.

In 2000 more than half of all providers experienced antichoice harassment. More doctors are deciding that it isn't worth the risk to their careers, their personal safety, and the safety of their families to continue providing reproductive health services. Radical antichoice groups now go far beyond the act of picketing family planning clinics. They obtain personal information of family planning clinic workers and harass them in their home communities. The personal information is often posted on Internet sites with encouragement to harass and commit violence against these people.

In order to curb this rising threat, Senator Joe Dunn (D-Garden Grove) has authored SB 1590. Currently, the California Public Records Act requires that every state or local agency, upon request, must make records available to any person. This is how antichoice radicals obtain information on the names, home addresses, telephone numbers,

Support Clean-Needle and Syringe Exchanges


By Jamie E. Shauvin, Legislative Analyst

AB 2871, Needle Exchange Programs, introduced by Assemblymember Patty Berg (D-Santa Rosa), would save lives by increasing the number of cities and counties that participate in clean-needle and syringe exchange programs. AB 2871 removes the unnecessary burden of declaring and renewing a state of emergency every two weeks.

Under current law, county boards of supervisors or city councils must declare a local emergency in order to implement a needle exchange program. If a local government wishes to continue its program, it must renew the local emergency declaration every 14 to 21 days. A 2002 Henry J. Kaiser Family Foundation report about needle exchange in six California communities found that this requirement may limit the ability to implement needle exchange programs, even in communities where there is significant political support for them. The report stated that the renewal requirement is administratively burdensome and creates an unnecessary barrier for local jurisdictions. AB 2871 removes an unnecessary burden of declaring and renewing a state of emergency every two weeks.

According to the Department of Health Services (DHS), California now spends over \$315 million each year on services to people with HIV and AIDS. As of last December, there were 123,819 cumulative cases of HIV/AIDS reported in California since the outbreak of the epidemic. The DHS also reports that approximately 20 percent of all cases of HIV infection are related to intravenous drug users sharing dirty needles. If we could reduce the sharing of dirty needles significantly, we could have a huge impact on the spread of HIV and AIDS. A reduction in sharing dirty needles would probably do much to lower the state's cost of treating the disease. One way to reduce the sharing of dirty needles is to improve access to clean hypodermic needles or syringes.

AB 2871 is a reintroduction of AB 946, a bill that Assemblymember Berg carried last year but that Governor Davis vetoed. AB 2871 could do much to slow the spread of serious blood-borne diseases by increasing the number of cities and counties that participate in clean-needle exchange programs. That, in turn, could contribute to reducing the current projected health services costs to the state of caring for people with these diseases. Those are goals you should really care about.

Please write this month to Governor Schwarzenegger and urge him to sign AB 2871 increasing the number of cities and counties that would be willing to participate in clean-needle and syringe exchange programs. 

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Fight Hate Crimes

By Teri Ford, Legislative Analyst

Hate crimes are intolerable. Nobody should be terrorized or harmed because of his or her differences, whether in color, religion, or sexual orientation. SB 1234, introduced by Senator Sheila Kuehl (D-Los Angeles), provides a standard definition of hate crime that is to be used by all state and local agencies. The bill also encourages law enforcement agencies to pursue a formal hate-crime protocol that includes the expansion of hate-crime training and increases in penalties for hate crimes.


According to SB 1234, the definition of "hate crime" means a criminal act committed because the victim portrays one or more of the following characteristics, either real or perceived: disability, gender, nationality, race or ethnicity, and/or sexual orientation.

SB 1234 provides more protection for victims and witnesses of hate crimes. Penalties, which include jail time, are increased for those who refuse to obey restraining orders. Law enforcement officials are prohibited from reporting witnesses or victims to federal immigration authorities. Other provisions include the protection of the homeless from hate crimes, a ban on racial profiling by law enforcement officers, and stiffer penalties for property damaged by hate-crime perpetrators. Discrimination and safety within California's schools are also addressed.

There are other extenuating circumstances considered in SB 1234. At the court's discretion, a person who commits a felony that is a hate crime will receive an additional term of one to three years in state prison. Prior felony convictions for hate crimes carry an additional year in state prison for each conviction. The use of firearms becomes an issue in the determination of the defendant's sentence. The use of incendiary devices to damage property carries a three- to seven-year prison term and a fine of as much as \$10,000. A person who commits first-degree murder that is a hate crime shall be sentenced to life imprisonment in a state prison without the possibility of parole.

SB 1234 recognizes free speech. According to the provisions of the bill, speech alone is insufficient to prosecute a person for a hate crime. However, inflammatory speech that threatens violence against a person, people, or property is prohibited.

This bill allows the court to impose certain requirements on the defendant. The court may impose ethnic sensitivity training or counseling for hate-crime offenders. The defendant may be required to reimburse the victim for counseling and other expenses, along with compensation to agencies that provide service to hate-crime victims.

Please write to Governor Schwarzenegger and urge him to sign this important bill. 

Prevent New Attacks on Immigrant Health

By Marty Martinez, Legislative Analyst


Under a new policy, the Bush administration will require hospitals to ask each person seeking care to declare whether or not he or she is an immigrant. If the patient is an immigrant, the hospital will be required to determine whether the patient is a legal immigrant. The requirement applies to hospitals seeking certain types of federal funding to cover the cost of treating uninsured immigrants.

This new policy is bad. It will discourage immigrants—documented or undocumented—from seeking care for fear that they will be subject to legal harassment.

The Bush administration framed the announcement of this policy as a generous infusion of resources to emergency hospitals, offering to create a new fund of \$1 billion for the nation's underfunded safety net. Actually, Congress already appropriated the money last year; all the Bush administration did was add this onerous stipulation.

In order to receive the funding, hospitals will have to collect information on the immigration status of persons seeking care. An undocumented immigrant will avoid seeking care if there is fear that his or her immigration status will be reported. Even immigrants who are legally documented may fear that their documented status could become jeopardized by seeking care.

Our safety-net hospitals of last resort provide vital healthcare to undocumented individuals. This new federal policy requiring hospitals to determine the immigration status of patients must be stopped.

Please write to Mark McClellan of the Center for Medicare Services who administers the program. Let him know your feelings on this policy. Tell him the policy must be rescinded. 

Lambda Letters Progress Report

Letters and Messages Collected

July, 2004	31,521 letters & e-mails
In all of 2004	258,308 letters & e-mails

Dollars Spent

July, 2004	\$3,588
In all of 2004	\$25,938

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

September Legislative Update

This month there are only two relevant legislative deadlines. The Legislature closed for the year on August 31. Any bills not approved by the Legislature by that date are dead. The governor has until September 30 to sign or veto bills sent to him. We should know the outcome of these bills by the end of the month.

Joint resolutions (bills whose names begin with AJR or SJR) do not go to the governor. Once given final approval by the Legislature, they go to whomever they are addressed to. This list contains a few joint resolution addressed to Congress.

You will see a few bills that have been sent to either the Senate or Assembly Rules Committee. These bills have been parked there while legislators wrangle over who should be the authors of the bills or other procedural matters.

You may see that a bill has been sent to the Senate or Assembly for concurrence. This happens when a bill is approved in one house and then changed and approved in the second house. In those cases the bills need to go back to their first house for their concurrence with (agreement to) changes made to the bill after it had been approved by the first house.

Here is the latest status report on the bills we have been working on. Because of our publishing deadlines, this bill list was last revised in mid-August. It shows the status of the bills as of that period.

HIV/AIDS Issues

AB 1925 (Ray Haynes, R-Temecula)
Purpose: To require advance notice to parents, under certain circumstances, of sex or AIDS education to be given in a school and to notify parents that they can remove their children from this

education by submitting a written request.

Status: Sent to the governor.

LLP Position: Oppose.

AB 1957 (Dario Frommer, D-Glendale)

Purpose: To require the state to establish a Web site to display price comparisons of prescription drugs, including prices charged by licensed pharmacies in the state and Canadian pharmacies that provide mail-order service to the US that meet certification requirements established under the bill. Also requires the state to consider buying drugs from Canada.

Status: Approved by the Senate Appropriations Committee. Sent to the Senate Rules Committee.

LLP Position: Support.

AB 2871 (Patty Berg, D-Santa Rosa)

Purpose: To make it easier for cities and counties to establish clean-needle and syringe exchange programs.

Status: Passed by the Senate. Is in the Assembly for concurrence.

LLP Position: Support.

SB 1149 (Deborah Ortiz, D-Sacramento)

Purpose: To require the state to develop and disseminate information identifying pharmacies in Canada that meet recognized standards for the safe dispensing of dangerous drugs (prescriptions) to California residents. Listed pharmacies must register with the state and pay a \$1,500 fee. State also must publicize foreign suppliers that do not meet standards. Information should be posted on the Internet.

Status: Approved by the Assembly Appropriations Committee. Sent to the Assembly Rules Committee.

LLP Position: Support.

SB 1159 (John Vasconcellos, D-San Jose)

Purpose: To authorize a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions, and to authorize a person to possess up to 10 hypodermic needles or syringes if

acquired through an authorized source. This bill comes into force only if SB 1362 is also passed and signed by the governor.

Status: Approved by the Assembly. Sent to the Senate for concurrence.

LLP Position: Support. This would facilitate authorized clean-needle exchange programs around the state.

SB 1362 (Liz Figueroa, D-Fremont)

Purpose: To require local governments to include in their waste management plans a procedure for the safe collection, treatment, and disposal of sharps, including hypodermic needles and syringes.

Status: Approved by the Legislature. Signed by the governor.

LLP Position: Support.

SB 1494 (John Vasconcellos, D-San Jose)

Purpose: To provide that a qualified person with a medical marijuana identification card, or any designated primary caregiver, may possess any amount of marijuana consistent with the medical needs of that qualified person with an identification card.

Status: Approved by the Legislature. Vetoed by the governor.

LLP Position: Support.

Lesbian/Gay/Bisexual/ Transgender/Intersex Issues

AB 1918 (Cindy Montanez, D-Mission Hills)

Purpose: To allow a school employee, in a school district that is not subject to disability compensation laws, to take up to six weeks off with partial pay to care for a seriously ill child, spouse, parent, or domestic partner, or to bond with a new child.

Status: Sent to the governor.

LLP Position: Support.

AB 2208 (Christine Kehoe, D-San Diego)

Purpose: To require that domestic partners be treated equally to married couples by insurance companies with

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Legislative Update

Continued from page 5

regard to benefits under all kinds of insurance policies regulated by the Department of Insurance.

Status: Approved by the Senate. In the Assembly for concurrence.

LLP Position: Support.

AB 2889 (John Laird, D-Santa Cruz)

Purpose: To make employers responsible for the acts of non-employees with respect to all forms of harassment (including harassment based on the LGBTI or HIV status of employees) in the workplace where the employer or its agents or supervisors knew, or should have known, of the conduct and failed to take immediate and appropriate corrective action.

Status: Failed in the Senate Appropriations Committee. Bill is dead.

LLP Position: Support.

AB 2900 (John Laird, D-Santa Cruz)

Purpose: To amend nondiscrimination language in California's labor and employment codes to make the language uniform. The nondiscrimination language found in the Fair Employment and Housing Act will be used as the model. Sexual orientation, gender identity, and language protecting women and other minorities will be amended into many of these government codes.

Status: Sent to the governor.

LLP Position: Support.

AJR 60 (Sally Lieber, D-San Jose)

Purpose: To approve an Assembly Joint Resolution urging Congress and President Bush to support the Perma-

nent Partners Immigration Act. This act, now being considered in Congress, would allow US citizens to obtain permanent legal US residency for their domestic partners who are citizens of another country.

Status: Approved by the Senate. In Assembly for concurrence.

LLP Position: Support. Currently straight couples can obtain the same result by marriage.

AJR 67 (Dennis Mountjoy, R-Monrovia)

Purpose: To urge Congress to pass a constitutional amendment banning same-sex marriage in the US.

Status: Referred to the Assembly Judiciary Committee. Hearing cancelled at the author's request. The bill is dead.

LLP Position: Oppose.

AJR 85 (Mark Leno, D-San Francisco)

Purpose: To urge Congress not to pass a constitutional amendment banning same-sex marriage in the United States.

Status: Passed the Senate. Is in the Senate for concurrence.

LLP Position: Support.

SB 1193 (Nell Soto, D-Ontario)

Purpose: To require the state to pay a \$10,000 death benefit to the surviving spouse, or beneficiary designated by the service member, of any member of the California National Guard, State Military Reserve, or Naval Militia who dies or is killed in the performance of state military duty.

Status: Sent to the governor.

LLP Position: Support.

SB 1234 (Sheila Kuehl, D-Los Angeles)

Purpose: To enact a uniform definition of "hate crime" and direct all state and local agencies to use it exclusively; encourage all law-enforcement agencies to adopt a formal hate-crime protocol; direct law-enforcement agencies to deliver expanded hate crimes training to their officers; and increase penalties for hate crimes.

Status: Approved by the Assembly Appropriations Committee. Awaiting a vote on the Assembly floor.

LLP Position: Support.

People of Color Issues

AB 292 (Leland Yee, D-San Francisco)

Purpose: To provide that a state or local governmental agency, or a public or private agency supported by state funding, shall not use any child, or permit any child to be used, as a translator or interpreter in any matter involving the business or function of that agency, except as specified. This would require each agency that receives state funding to have available for inspection an established procedure for providing competent translation services. **Status:** Died in the Senate Appropriations Committee.

LLP Position: Support.

AB 858 (Jackie Goldberg, D-Los Angeles)

Purpose: To prohibit public schools from using the word "Redskins" as a school or athletic team name, mascot, or nickname.

Status: Sent to the governor.

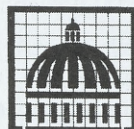
LLP Position: Support.

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LAMBDA LETTERS PROJECT

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Legislative Update

Continued from page 5

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Status: Approved by the Senate. In the Assembly for concurrence.

LLP Position: Support.

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Purpose: To make employers responsible for the acts of non-employees with respect to all forms of harassment (including harassment based on the LGBTI or HIV status of employees) in the workplace where the employer or its agents or supervisors knew, or should have known, of the conduct and failed to take immediate and appropriate corrective action.

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Status: Sent to the governor.

LLP Position: Support.

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Status: Approved Assembly for concurrence.

LLP Position: Support. Straight couples can result by marriage.

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Purpose: To urge constitutional amendment for same-sex marriage.

Status: Referred to Judiciary Committee. Bill is dead.

LLP Position: Oppose.

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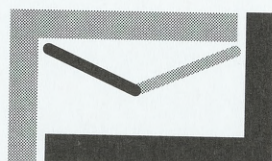
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Sincerely,

Legislative Update

Continued from page 5

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Status: Approved by the Senate. Assembly for concurrence.

LLP Position: Support.

AB 2889 (John Laird, D-Santa

Purpose: To make employers liable for the acts of non-employees in respect to all forms of harassment (including harassment based on LGBTI or HIV status) of employees in the workplace where the employer's agents or supervisors knew or should have known, of the conduct failed to take immediate and appropriate corrective action.

Status: Failed in the Senate Judiciary Committee. Bill is dead.

LLP Position: Support.

AB 2900 (John Laird, D-Santa

Purpose: To amend nondiscrimination language in California's employment codes to make language uniform. The nondiscrimination language found in the Fair Employment and Housing Act will be used as a model. Sexual orientation, gender identity, and language protection for women and other minorities are amended into many of these employment codes.

Status: Sent to the governor.

LLP Position: Support.

AJR 60 (Sally Lieber, D-Santa

Purpose: To approve an Amendment Joint Resolution urging Congress and President Bush to support the

Permanent Partners Immigration Act. This act, now being considered in Congress, would allow US citizens to obtain permanent legal US residency for their domestic partners who are citizens of

SB 1234 (Sheila Kuehl, D-Los Angeles)

Purpose: To enact a uniform definition of "hate crime" and direct all state and local agencies to use it exclusively;

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S T U D I O



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tel 916.448.6003 • fax 916.446.6474
3181 d street • sacramento, ca 95816

name

address

city, state, zip

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Sept 15, 2004

Dear Governor Schwarzenegger:

Please support Assembly Bill 2871 (Needle Exchange Programs) introduced by Assemblymember Patty Berg (D-Santa Rosa). This bill will save lives by increasing the number of cities and counties that participate in clean-needle exchange programs. AB 2871 removes an unnecessary burden of declaring and renewing a state of emergency every two weeks. This bill will do much to decrease new HIV and AIDS infections when you consider that 20% of all cases are linked to intravenous drug use.

According to the Department of Health Services, California now spends over \$315 million each year on services to people with HIV and AIDS. As of last December, there were 123,819 cumulative cases of HIV/AIDS reported in California since the outbreak of the epidemic. The Department of Health Services also reports that approximately 20% of all cases of HIV infection are related to intravenous drug users sharing dirty needles. If we could reduce the sharing of dirty needles significantly, we could make a huge impact on the spread of HIV/AIDS. A reduction in sharing dirty needles would probably do much to lower the state's cost of treating the disease. One way to reduce the sharing of dirty needles is to improve access to clean hypodermic needles or syringes.

AB 2871 is a reintroduction of AB 946, a bill that Assemblymember Berg carried last year, which Governor Gray Davis vetoed. AB 2871 could do much to slow the spread of serious blood-borne diseases by increasing the number of cities and counties that participate in clean-needle exchange programs. That, in turn, could contribute to reducing the current projected health services costs to the state of caring for people with these diseases. Those are goals you should really care about.

Please sign AB 2871 when it comes before you.

Sincerely,

Assembly Bill 2871

Assembly Bill 2871

Assembly Bill 2871

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Assembly Bill 2871

Assembly Bill 2871

The Honorable Governor

The California State Capitol

Sacramento, CA 95834

Dear Governor:

I am writing to you today to

express my sincere appreciation

for the support you have given

to the Needle Exchange Program

in the Assembly. This bill will

allow cities and counties to

establish and operate needle

exchange programs. This is a

very important step in the

fight against HIV and AIDS.

I am sure that you will

continue to support this

important program. Thank you

very much for your support.

Sincerely,

Assemblymember Gray Davis

Assembly Bill 2871

Assembly Bill 2871

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Assembly Bill 2871

name

address

city, state, zip

Sept 15, 2004

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

Please sign SB 1234, the "hate crimes" bill introduced by Senator Sheila Kuehl (D-Los Angeles). As you may know, this bill provides a standard definition of a hate crime, which is to be used by all state and local agencies. This bill also expands hate-crime training among law enforcement personnel and provides for increases in penalties for those convicted of committing hate crimes.

SB 1234 is an attempt to prevent crimes committed against people who are victimized because of their actual or perceived race or ethnicity, gender, nationality, disability, religion, or sexual orientation. A universal definition of hate crime, used by all state agencies, will encourage legal enforcement against hate crimes and prevent the term "hate crime" from being open to interpretation. Stiffer penalties will discourage hate-crime perpetrators from harming other people and damaging private property. SB 1234 also protects the homeless from hate crimes. Discrimination and safety in California's schools are addressed, as is racial profiling by law enforcement officials.

Critics of SB 1234 fear that this bill threatens free speech. According to the provisions of SB 1234, speech alone is insufficient to prosecute a person for a hate crime. However, inflammatory speech that threatens violence against a person, people, or property is prohibited. This prohibition is not unusual or new. Under federal law, speech that incites violence or people to riot is not permitted and is not protected by the First Amendment of the US Constitution.

People should not be persecuted because of differences in skin color, physical or mental abilities, sexual preference, religion, or national origin or ethnicity. We are all different. It is deplorable that some people feel that they have the right to terrorize others because of their differences. Please help stop the violence. Please sign SB 1234.

Respectfully yours,

Respectfully yours,

Please help stop the violence. Please sign SB 1234.

that some people feel that they have the right to terrorize others because of their differences. sexual preference, religion, or national origin or ethnicity. We are all different. It is desirable that people should not be persecuted because of differences in skin color, physical or mental abilities.

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enforcement officials. Discrimination and safety in California's schools are addressed, as is racial profiling by law people and damaging private property. SB 1234 also protects the homeless from hate crimes interpretation. Stricter penalties will discourage hate-crime perpetrators from harming other enforcement against hate crimes and prevent the term "hate crime" from being open to orientation. A universal definition of hate crime, used by all state agencies, will encourage legal their actual or perceived race or ethnicity, gender, nationality, disability, religion, or sexual SB 1234 is an attempt to prevent crimes committed against people who are victimized because of

personnel and provides for increases in penalties for those convicted of committing hate crimes all state and local agencies. This bill also expands hate-crime training among law enforcement As you may know, this bill provides a standard definition of a hate crime, which is to be used by Please sign SB 1234, the "hate crimes" bill introduced by Senator Sheila Kuehl (D-Los Angeles)

Dear Governor Schwarzenegger:

Sacramento, CA 95814
The California State Capitol
The Hon. Arnold Schwarzenegger, Governor

Sept 15, 2004

name

address

city, state, zip

Sept 15, 2004

Mark McClellan, M.D., Ph.D.
Administrator, Centers for Medicare & Medicaid Services
7500 Security Boulevard
Mail Stop C5-11-24
Baltimore, MD 21244

Dear Dr. McClellan:

I am writing to oppose the current policy implementation of Section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 regarding federal reimbursement of emergency healthcare services provided to undocumented immigrants.

Under your administration's new stated policy, individual patients would be asked to declare their immigration status before being permitted to receive care at emergency hospitals. Asking individuals to declare or somehow prove their undocumented status will cause them to avoid seeking needed healthcare for themselves and their family members, with severe consequences for individual and public health.

The problem facing safety-net institutions is a lack of resources, but those resources cannot be made up by simply refusing to care for the sick or injured. When Congress appropriated \$1 billion for emergency hospitals, this issue was never raised or included in the appropriation. This new policy is an inappropriate interpretation of legislative intent.

For these reasons I hope this policy is reconsidered. Thank you.

Sincerely,

Sep 13, 2004

Mark McClellan, M.D., Ph.D.
Administrator, Centers for Medicare & Medicaid Services
7500 Security Boulevard
Mail Stop C2-11-24
Baltimore, MD 21244

Dear Dr. McClellan:

I am writing to oppose the current policy implementation of Section 101 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 regarding federal reimbursement of emergency healthcare services provided to undocumented immigrants.

Under your administration's new stated policy, individual patients would be asked to declare their immigration status before being permitted to receive care at emergency hospitals. Asking individuals to declare or somehow prove their undocumented status will cause them to avoid seeking needed healthcare for themselves and their family members, with severe consequences for individual and public health.

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For these reasons I hope this policy is reconsidered. Thank you.

Sincerely,

name

address

city, state, zip

Sept 15, 2004

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I urge you to sign SB 1590, which would protect the safety and lives of all personnel associated with reproductive health facilities by restricting the dissemination of their personal information.

The ability to obtain a safe and legal abortion has been every woman's legal right in the United States since the U.S. Supreme Court Roe v. Wade decision in 1973. Yet, 31 years later, that right is more endangered than ever before. One of the biggest dangers today is the declining access to safe and legal abortions due, in part, to the decreasing number of doctors willing to perform them. One of the most egregious reasons why there are fewer abortion providers is the fact that radical anti-choice groups are employing tactics of violence and harassment such as murder, firebombing of clinics, and death threats against providers. In 2000 more than half of all providers experienced anti-choice harassment.

Currently, the California Public Records Act requires that every state or local agency make records available upon request to any person. Radical anti-choice groups use this law to obtain information on the names, home addresses, telephone numbers, personal worth, and personal financial data of family planning workers. These groups use this information to harass family planning clinic workers and their families in their home communities. SB 1590 is a crucial bill. It would shield from public disclosure the personal information of family planning workers.

Reproductive health providers have the right to work without fear for their personal safety and those of their loved ones. If the lives of reproductive health providers are not protected, women consumers will not be able to exercise their freedom of choice of getting safe and legal health services that they are all entitled to. I strongly urge you to sign this bill.

Sincerely,

Sept 17, 2004

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger,

I urge you to sign SB 1590, which would protect the safety and lives of all personnel associated with reproductive health facilities by restricting the dissemination of their personal information.

The ability to obtain a safe and legal abortion has been every woman's legal right in the United States since the U.S. Supreme Court's *Roe v. Wade* decision in 1973. Yet, 31 years later, that right is more endangered than ever before. One of the biggest dangers today is the declining access to safe and legal abortions due, in part, to the decreasing number of doctors willing to perform them. One of the most egregious reasons why there are fewer abortion providers is the fact that radical anti-choice groups are employing tactics of violence and harassment such as murder, threatening of clinics, and death threats against providers. In 2000 more than half of all providers experienced anti-choice harassment.

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Reproductive health providers have the right to work without fear for their personal safety and those of their loved ones. If the lives of reproductive health providers are not protected, women consumers will not be able to exercise their freedom of choice of getting safe and legal health services that they are all entitled to. I strongly urge you to sign this bill.

Sincerely,

AB 1796 (Mark Leno, D-San Francisco)

Purpose: To provide that a convicted drug felon shall be eligible for aid under the Food Stamp Program. Those convicted of using drugs would be helped by this bill. Drug dealers would be excluded from its benefits.

Status: Approved by the Senate Appropriations Committee. Awaiting a vote on the Senate floor.

LLP Position: Support.

AB 1815 (Wilma Chan, D-Oakland)

Purpose: To raise the income tax rate and the alternate minimum income tax rate on California's wealthiest citizens.

Status: The bill is dead.

LLP Position: Support. This would reduce the pressure to

Continued on page 8

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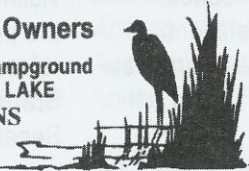
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Join us as we financially assist federal and state representatives, candidates, and organizations from Orange County and Long Beach that will defend the U.S. Constitution from the Federal Marriage Amendment.

ECCO supports the Lambda Letters Project

ECCO is a non-partisan Gay, Lesbian, Bisexual, Transgender, HIV/AIDS, and Women's Political Action Committee.

www.eccopac.org



Legislative Update

Continued from page 7

make cuts to vital HIV/AIDS programs and other health and social service programs.

AB 1895 (Joe Nation, D-San Rafael)

Purpose: To require that an attorney who specializes in immigration law, or a certified immigration specialist, be provided to a dependent child of the court who is not a citizen of the US and when the court has decided parental reunification is not an option. The bill would exclude counties that already have similar programs in place.

Status: Approved by the Senate Appropriations Committee. Awaiting a vote on the Senate floor.

LLP Position: Support.

AB 1963 (Simon Salinas, D-Salinas)

Purpose: To encourage the use of promotores de salud and community health workers to provide better health outcomes for rural and underserved communities, particularly agricultural

workers, and seek to incorporate the use of promotores de salud and community health workers in the full range of state-funded health programs. (Promotores de salud are programs that utilize trained community members to provide linguistically and culturally appropriate outreach, education, and access to services.)

Status: Approved by the Senate Appropriations Committee. Awaiting a vote on the Senate floor.

LLP Position: Support.

AB 2387 (Marco Firebaugh, D-South Gate)

Purpose: To authorize the University of California and the California State University to consider culture, race, ethnicity, gender national origin, geographic origin, and household income, along with other relevant factors, in undergraduate and graduate admissions under certain limited conditions. These may not be the deciding factors in admissions. Also authorizes the schools to gather certain demographic data on students.

Status: Approved by the Senate. Sent to the Assembly for concurrence.

LLP Position: Support.

AB 2408 (Leland Yee, D-San Francisco)

Purpose: To strengthen and clarify the law requiring state agencies to employ sufficient numbers of bilingual staff to meet the needs of the non-English-speaking communities they serve.

Status: Sent to the governor.

LLP Position: Support

AB 2428 (Judy Chu, D-Monterey Park)

Purpose: To protect the victims of hate crimes and their families by ensuring, absent compelling reasons that dictate otherwise, that a restraining order prohibiting further contact with the victim or victim's family be placed on the perpetrator when he or she is released from custody.

Status: Awaiting a final vote on the Senate floor. **LLP Position:** Support.

SB 921 (Sheila Kuehl, D-Los Angeles)

Purpose: To establish a single-payer,

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universal healthcare delivery system in California. Under this system the state would pay all the medical bills and every resident of California would have health insurance.

Status: Approved by the Assembly Health Committee. Author has decided to drop the bill until next year.

LLP Position: Support.

SB 1144 (John Burton, D-San Francisco)

Purpose: To allow the state to buy drugs from Canadian manufacturers, among others. Would require the state to seek federal permission to buy drugs in Canada.

Status: Approved by the Assembly Appropriations Committee. Awaiting a vote on the Assembly floor.

LLP Position: Support.

SB 1160 (Gilbert Cedillo, D-Los Angeles)

Purpose: To allow undocumented immigrants, under certain circumstances, to obtain driver's licenses.

Status: Approved by the Senate Transportation Committee. Is being held in the Senate Appropriations Committee while the author negotiates terms of the bill with the governor.

LLP Position: Oppose unless amended. The current version of the bill has criminal background checking provisions that might endanger undocumented immigrants. Other provisions would deny drivers licenses if an immigrant has been convicted of an offense as minor as loitering.

SB 1170 (Deborah Ortiz, D-Sacramento)

Purpose: To require the state to establish (on or before January 1, 2005) a list of maximum allowable costs that drug providers could charge the state for medicines used in the Medi-Cal program.

Status: The bill is dead.

LLP Position: Support. The list would keep costs down and reduce pressure to limit enrollment in Medi-Cal.

SB 1333 (Don Perata, D-Oakland)

Purpose: To authorize the state to reimburse a pharmacy that provides to a Medi-Cal beneficiary, or an AIDS Drug Assistance (ADAP) patient, a prescription drug that was purchased from a Canadian pharmacy that is licensed with the state of California.

Status: Approved by the Assembly Appropriations Committee. Awaiting a vote on the Assembly floor.

LLP Position: Support.

SB 1499 (Kevin Murray, D-Culver City)

Purpose: To prohibit an employer from charging a fee for cashing an employee's payroll check, transporting an employee to a job site, or renting an employee the tools necessary to perform the duties of the employment.

Status: Approved by the Assembly Appropriations Committee. Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 1563 (Martha Escutia, D-Norwalk)

Purpose: To deem that a drug manufacturer entering into a contract with state and local governments must agree to offer certain clinics that serve poor people prices that do not exceed the discounted prices specified under federal law.

Status: Approved by the Assembly Rules Committee. Is in the Assembly for a final vote in that house.

LLP Position: Support.

SJR 21 (Joe Dunn, D-Garden Grove)

Purpose: To ask Congress to establish a fact-finding commission to determine if the federal government mistreated American citizens and permanent resident aliens of Mexican descent who were deported or coerced to emigrate during the 1930s and to recommend appropriate remedies.

Status: The bill is dead.

LLP Position: Support.

Women's Issues

AB 1825 (Sarah Reyes, D-Fresno)

Purpose: To require larger employers to train supervisors on the subject of

remedies for, and laws against, sexual harassment in the workplace.

Status: Approved by the Senate. Sent to the Assembly for concurrence.

LLP Position: Support.

AB 1946 (Darrell Steinberg, D-Sacramento)

Purpose: To streamline and improve a process already available under California law, which allows compassionate release from jail for certain prisoners who are ill and have less than six months to live.

Status: Approved by the Senate. Sent to the Assembly for concurrence.

LLP Position: Support.

AB 2010 (Loni Hancock, D-Berkeley)

Purpose: To allow Alameda and Solano Counties to increase fees, up to a maximum increase of \$2, for certified copies of marriage certificates, birth certificates, fetal death records, and death records, for the purposes of providing funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

Status: Sent to the governor.

LLP Position: Support.

AB 2018 (Judy Chu, D-Monterey Park)

Purpose: To provide that in a divorce case, if there is a judgment for civil damages for an act of domestic violence perpetrated by one spouse against the other spouse the court may enforce that judgment against the abusive spouse's share of community property

Status: Sent to the governor.

LLP Position: Support.

AB 2148 (Manny Diaz, D-San Jose)

Purpose: To allow a court to require parties to a child custody, visitation, and child-support proceedings to pay attorney's fees and court costs. This would allow the court to order one party to pay the other party's costs when the other party cannot afford them; would allow the court to issue a temporary

Continued on page 10

Legislative Update

Continued from page 9

order on child custody, visitation, and child support while the case is being litigated; and would allow the court to order spousal support, if the parties are married, during litigation of a domestic abuse case.

Status: Sent to the governor.

LLP Position: Support.

AB 2317 (Jenny Oropeza, D-Carson)

Purpose: To increase the penalty for employers who pay women less for doing the same work as men.

Status: Approved by the Senate. Sent to the Assembly for concurrence.

LLP Position: Support.

AB 2742 (Dennis Mountjoy, R-Monrovia)

Purpose: To require that state prisons give prisoners the medical care that competent physicians say they need.

Status: Approved by the Senate. Sent to the Assembly for concurrence.

LLP Position: Support.

SB 1385 (John Burton, D-San Francisco)

Purpose: To make numerous changes and improvements to laws concerning intimate partner battering.

Status: Sent to the governor.

LLP Position: Support.

SB 1441 (Sheila Kuehl, D-Los Angeles)

Purpose: To provide that a victim of domestic violence or abuse has the right to have a domestic violence counselor and a support person of his or her choosing present at any interview by law enforcement authorities, district attorneys, or defense attorneys.

Status: Approved by the Legislature. Signed by the governor.

LLP Position: Support.

SB 1590 (Joe Dunn, D-Garden Grove)

Purpose: To shield government records of employees, volunteers, board members, owners, partners, officers, or contractors of a reproduc-

Women's Issue

Continued from page 3

personal worth, and personal financial date of family planning workers. Threats of violence, stalking, and vandalism have extended beyond reproductive service providers to target their family members. SB 1590 would exempt the disclosure of personal information compiled by public agencies regarding the employees, volunteers, board members, owners, partners, officers, or contractors of a reproductive health facility. SB 1590 is a reasonable and practical bill. This bill will not compromise health consumers' right to obtain necessary employment history information on providers.


SB 1590 is an essential bill. Reproductive health providers have the right to work without fear for their personal safety and those of their loved ones. More importantly, this bill is essential for the future of all women. If the lives of reproductive health providers are not protected, women will not be able to exercise their freedom of choice to get the safe and legal health services to which they are all entitled.

SB 1590 has been passed by the Legislature and is en route to Governor Schwarzenegger for his approval or veto. It is essential that you write to the governor now and request his support of this bill. The future of many women's lives depends on it.



tive health services facility upon request of those persons.

Status: Approved by the Assembly. Sent to the Senate for concurrence.

LLP Position: Support. This would prevent abortion foes from getting addresses and phone numbers of these people through the Freedom of Information act and then harassing people who work at abortion clinics. 

Changing the World

Continued from page 1

years; to it, 30 years is just an instant. We shouldn't judge the value of a goal merely on how long it takes to accomplish it. We must understand that, in the big picture, change for the better is actually occurring rather quickly.

When people give up trying, or refuse to help in the cause, it hurts all of us. Let me illustrate that point with an analogy. The Greek mathematician Pythagoras once said, "If I had a long enough lever, I could lift the whole world." A lever is like a seesaw. You put a weight, like a child, on one end and push down on the other end to raise the child. The longer the seesaw, the easier it is to raise the child, even a very heavy one. On the other hand, you could raise even a very heavy child with a short seesaw if enough people pushed down on the other end.

Civil rights advocacy is like that. Those who advocate for civil rights and civil justice usually have little money and little else that's concrete to promote their cause. In effect, they are trying to lift the world with a very short lever. They have to push long and hard to make any progress. But the more people that help them push down on the lever, the more effective they become.

Only a little more than half the members of the Lambda Letters Project return signed letters to us each month for us to deliver to legislators. We have a small membership and we work on a puny budget. We need your help in pushing down that lever.

Do your part to help us be more effective. Sign and send us your letters each month. Persuade all your friends to join the Lambda Letters Project. Finally, please send us a contribution whenever you can.

The more that our members can do all these things, the more easily and quickly we can lift the world. 